

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DOUGLAS J. KOLB,)	
Petitioner,)	Civil Action No. 7:14cv00060
)	
v.)	<u>FINAL ORDER</u>
)	
HAROLD W. CLARKE,)	By: Michael F. Urbanski
Respondent.)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that respondent's motion to dismiss (Docket No. 6) is **DENIED without prejudice** and respondent is **DIRECTED** to file a second dispositive motion within thirty days of the entry of this order.

The Clerk is directed to send a copy of this order and accompanying memorandum opinion to the parties.

Entered: January 27, 2015

Michael F. Urbanski

Michael F. Urbanski
United States District Judge